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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

SCHNEIDER, JOHN HENRY

Debtor(s)

Case No. 14-61357-7

NOTICE OF HEARING

Date: May 24, 2016

Time: 9:00 AM

**Location: 2601 2nd Avenue North, Bighorn
Courtroom, Room 5503, Billings, MT**

OBJECTION TO PROOF OF CLAIM NO. 17

**TO: HARLEY MORRELL
c/o PATTEN PETERMAN BEKKEDAH & GREEN
2817 2ND AVENUE NORTH, STE 300
BILLINGS, MT 59101**

Pursuant to F.R.B.P. 3007 and Mont. LBR 3007-2, the undersigned respectfully objects to the Proof of Claim No. 17 filed in the above-entitled case by Harley Morrell ("Creditor"). The grounds for this objection are as follows:

Creditor has filed a proof of claim for \$300,000.00, and the face of the claim cites the basis as "contingent indemnity claim for failure to provide insurance coverage as employee of Debtor" and "Third party claim for bad faith, Unfair Trade Practice Act". Based on his review of financial and employment records provided to Trustee by the debtor, Trustee has determined that Mr.

Morrell was an employee of Northern Rockies Neuro Spine, PC, a separate legal entity. Northern Rockies Neuro Spine, not the debtor, held the employment obligations to the Creditor, not the debtor. As such, the claim should not be paid through any distribution by the bankruptcy estate.

WHEREFORE, the Proof of Claim No. 17 should be disallowed.

DATED this 15th day of April, 2016.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Attorney for Trustee

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that on April 15, 2016 or as soon as possible thereafter, a copy of the foregoing was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:

John Schneider
3611 Tommy Armour Circle
Billings, MT 59106

John Schneider
543 Camino de Orchidia
Encinitas, CA 92024

Harley Morrell
c/o Patten Peterman Bekkedahl & Green
2817 2nd Avenue North, Ste 300
Billings, MT 59101

By: /s/ Lynsey Lund
Lynsey Lund
Legal Asst. to Trustee